

REMARKS

The May 3, 2005 office action and the references cited therein have been carefully considered together with the present application.

The examiner has rejected claims 1-14 under 35 U.S.C. 103(a) as being unpatentable over Adamske et al. (hereinafter "Adamske") in view of Pineau. This is an acknowledgment by the examiner that Adamske did not anticipate these claims, and in fact in this office action the examiner admits that Adamske does not teach a personal imaging repository associated with a particular user for storing imaging data and wherein said personal imaging repository is an exchange infrastructure between the imaging data and available web services on the internet; and a port monitor for directing the imaging data to said personal imaging repository.

The examiner relies upon Pineau as supplying these basic deficiencies. However, Pineau is not prior art to this application as is demonstrated in the 131 Declaration of the undersigned that is enclosed with this response. It is noted that the filing date of Pineau is only five days before the filing date of the present application and it is surprising that the examiner would rely upon a reference that is easily removed. As is set forth in the enclosed 131 Declaration, the application was completed and approved for filing by Bill McAllister, an in-house counsel for the assignee Hewlett-Packard Company, as is shown a March 14, 2001 e-mail to Grace Law who drafted the application. The inventors executed the Declaration of the present application on March 26, 2001 and a final package containing the present

patent application (and others) was sent by the undersigned to James R. McDaniel, another in-house counsel for Hewlett-Packard on April 12, 2001.

Since Pineau is not prior art to the present application and since the examiner admits that Adamske fails to teach or suggest at least two elements of claim 1, claim 1 is believed to be in condition for immediate allowance and such action is respectfully requested.

The examiner also rejects claims 17-21 under 35 U.S.C. 103(a) as being unpatentable over Adamske in view of Stewart. With regard to claim 17, it is believed that neither Adamske nor Stewart, applied singularly or in combination with one another, teach or suggest this claim for the reason that that neither of them have a personal imaging repository set forth in the preamble and further that they do not have a composite store for storing imaging compositions having links to the imaging data serviced and therefore cannot teach or suggest the step of transferring the imaging data to the imaging data store or create an imaging composition having links to the imaging data stored in the imaging data store or saving the imaging composition in the composition store set forth in the claims.


It is clear that the method acts on data in the environment defined by the preamble. Therefore, the body of the claim does depend upon the preamble for completeness. The steps have little meaning but for the existence of the preamble and therefore do not stand alone. Finally, it cannot be reasonably said that the preamble merely recites the purpose of a process or the intended use of a structure.

Since the dependent claims pending in the application necessarily include the features of the claims from which they depend, and in addition define other features or functionality, it is also believed that these claims are in condition for allowance.

For the foregoing reasons, reconsideration and allowance of all pending claims in this application is respectfully requested.

Respectfully submitted,

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